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PATENT COOPERATION TREATY



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 10664 WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/050109	International filing date (day/month/year) 16 avril 2003 (16.04.2003)	Priority date (day/month/year) 18 avril 2002 (18.04.2002)
International Patent Classification (IPC) or national classification and IPC G06K 19/077		
Applicant FCI		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 23 octobre 2003 (23.10.2003)	Date of completion of this report 07 September 2004 (07.09.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/050109

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
pages _____ 1-10 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☒ the claims:
pages _____ 1-13 _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☒ the drawings:
pages _____ 1/1 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/EP 03/50109

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	2, 6, 10, 12, 13	YES
	Claims	1, 3-5, 7-9, 11	NO
Inventive step (IS)	Claims	-	YES
	Claims	1-13	NO
Industrial applicability (IA)	Claims	1-13	YES
	Claims	-	NO

2. Citations and explanations

1. Reference is made to the following documents:

D1: US-A-6 025 997;
D2: EP-A-0 359 632;
D3: EP-A-0 201 952;
D4: US-B1-6 306 240;
D5: EP-A-0 412 545.

2. Document D1 describes a module with an electronic microcircuit (7) comprising a substrate (10) and at least one contact pad (2, 4) on a first surface of said substrate, with a second surface of said substrate enabling an integrated circuit to be housed therein (column 5, lines 52-55), which module forms a parallelepiped (figure 1), a first adhesive means (column 4, lines 32-41) for holding a first surface of a mask (11) against the second surface of said substrate, said mask which defines the parallelepiped having an opening therein that defines a window around the integrated circuit, and a second adhesive means on a second surface of said mask (column 6, lines 12-18).

For this reason, the subject matter of **claim 1** of

the present application is not novel. As a result, claim 1 does not fulfil the requirement of PCT Article 33(2).

3. A similar objection with regard to **claim 1** can be based on the description of D5 (column 2, line 53 to column 3, line 23; figure 10).
4. Document D3 describes a method for packaging a module (33) that has an electronic circuit (11), including the following steps of:
 - forming a contact pad (8) on a first surface of a substrate strip (5) (column 3, lines 26-30),
 - positioning a first adhesive means (the adhesive on the side of the tape (1) that faces the sheet (3)) between a first surface of said substrate (5) and a first surface of a masking strip (1, 2) in order to hold the mask (1, 2) against the second surface (column 4, lines 9-14; figure 2C),
 - forming an opening in said masking strip (1, 2) in such a way that said mask has a window (4) opposite said contact pad (8) (column 4, lines 6-8; figure 2B),
 - positioning a second adhesive means (34) on the second surface of said mask, and
 - separating said strip into individual parallelepiped modules (figure 2G).

It should be noted that tape (1) is "double-sided", i.e. it has two adhesive surfaces.

Even though the modules in D3 are circular, such an embodiment is in no way restrictive (column 5, lines

23-25) and it is implicit that a parallelepiped module could be produced using the same method.

For these reasons, **claim 5** is not novel. As a result, claim 5 does not fulfil the requirement of PCT Article 33(2).

5. The features described in dependent claims **2-4, 6-9 and 11-13** are either known directly from D1, D2, D3, D4 or D5 or are suggested to a person skilled in the art by the combination of features in said documents. It follows that claims **2-4, 6-9 and 11-13** do not fulfil the requirements of PCT Article 33(2) and 33(3).

6. **Claim 1** does not fulfil the requirement of clarity of PCT Article 6 for the following reasons:

- in line 4 of said claim, it is unclear what "in that it" relates to;
- moreover, the parallelepiped is not formed until the mask (7) has been attached to the substrate. In said claim, it is not appropriate to define the parallelepiped before defining the mask.

7. The following observations should be taken into consideration:

The independent claims should be drafted in two parts, as required by PCT Rule 6.3(b), with a preamble containing the combination of features known from the prior art (D1 and D3, respectively) (PCT Rule 6.3(b)(i)), and a characterising portion containing the remaining features (PCT Rule

6.3(b)(ii)).

The features in the claims should be followed by reference signs between parentheses (PCT Rule 6.2(b)).

Under the terms of PCT Rule 5.1(a)(ii), the description should indicate the relevant prior art disclosed in documents D1-D5 and should cite said documents.